

State of Arizona  
Senate  
Forty-ninth Legislature  
First Regular Session  
2009

Senate Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

CHAPTER 20

# **SENATE BILL 1008**

AN ACT

AMENDING SECTION 26-101, ARIZONA REVISED STATUTES; RELATING TO THE ADJUTANT  
GENERAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 26-101, Arizona Revised Statutes, is amended to  
3 read:  
4 26-101. Department of emergency and military affairs;  
5 organization; adjutant general; qualifications  
6 A. ~~There is established a~~ THE department of emergency and military  
7 affairs ~~which shall consist~~ IS ESTABLISHED CONSISTING of a division of  
8 emergency management and other divisions or offices as determined by the  
9 adjutant general pursuant to section 26-102, subsection C, paragraph 8.  
10 B. The department shall consist of the adjutant general and such other  
11 officers, warrant officers, enlisted personnel and employees as deemed  
12 necessary.  
13 C. The department shall be administered and controlled by the governor  
14 as commander-in-chief. The adjutant general shall be the director of the  
15 department.  
16 D. The adjutant general shall be appointed by the governor pursuant to  
17 section 38-211 for a term of office of five years or to THE age ~~sixty-four~~  
18 PROVIDED BY FEDERAL LAW RELATING TO STATE ADJUTANTS GENERAL, whichever occurs  
19 first. The person appointed shall be a citizen of the United States and a  
20 resident of the state of Arizona. At the time of the appointment, the person  
21 appointed shall have qualifications required by the United States department  
22 of defense for the adjutant general and shall attain federal recognition in a  
23 grade not less than brigadier general ~~within~~ NOT LATER THAN one year ~~of~~ AFTER  
24 the appointment. The adjutant general shall have served not less than five  
25 years in the national guard of Arizona in the last ten years. Failure to  
26 meet these qualifications or to retain federal recognition shall terminate  
27 the appointment.  
28 E. The adjutant general shall receive compensation as determined  
29 pursuant to section 38-611, and shall devote full time to the office.  
30 F. At the time of appointment, the adjutant general shall receive the  
31 state rank of major general and ~~shall~~, at that time, SHALL become the ranking  
32 officer in the department of emergency and military affairs.

APPROVED BY THE GOVERNOR JULY 9, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 9, 2009.